



CONSTITUENT ASSEMBLY OF PAKISTAN DEBATES

Tuesday, 24th February 1948

OFFICIAL REPORT

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CONSTITUENT ASSEMBLY OF PAKISTAN

Tuesday, the 24th February, 1948

The Constituent Assembly of Pakistan met in the Assembly Chamber, Karachi, at Ten of the Clock, Mr. President (Quaid-i-Azam Mohammad Ali Jinnah) in the Chair.

PRESENTATION OF CREDENTIALS AND SIGNING OF THE REGISTER

Mr. President (Quaid-i-Azam Mohammad Ali Jinnah) : Members who have not already presented their credentials and signed the Roll of Members may do so now.

The following Members then presented their credentials and signed the Register of Members :—

Maulana Mohammad Akrum Khan (East Bengal : Muslim),

Begum Shaista Suhrawardy Ikramullah (East Bengal : Muslim)

PRESENTATION OF THE REPORT OF THE COMMITTEE ON RULES OF PROCEDURE, ETC.

Mr. Tamizuddin Khan (East Bengal : Muslim) : Mr. President, Sir, I beg to present the report* of the Committee on Rules of Procedure, powers of the President, etc.

REPORT OF THE COMMITTEE ON RULES OF PROCEDURE, ETC.

Mr. Tamizuddin Khan (East Bengal : Muslim) : Mr. President, Sir, I beg to move :

“That this Assembly do adopt the draft Rules of Procedure as approved by the Committee on Rules of Procedure, Powers of President, etc.”

(The Honourable Member then resumed his seat.)

Mr. President (Quaid-i-Azam Mohammad Ali Jinnah) : Have you anything to say in support of it ?

†**Mr. Tamizuddin Khan** : Sir, the rules have been circulated to the Hon'ble Members and I suppose they have all read them thoroughly. The rules naturally are lengthy and are of a comprehensive character and I do not like to make any speech on the details of the rules. These rules follow as far as possible the Rules of Procedure of the previous Central Assembly of India. There are certain amendments and when they are moved, they will be discussed. I do not think any discussion is necessary regarding other rules. With these words, I beg to move my motion.

Mr. President : Motion moved :

“That this Assembly do adopt the draft Rules of Procedure as approved by the Committee on Rules of Procedure, Powers of President, etc.”

* Not included in these Debates, but a copy has been placed in the Library.

† Speech not corrected by the Hon'ble Member.

[Mr. President.]

The motion is now open to discussion.

(No Honourable Member rose to speak.)

Mr. President : I take it for granted that no Honourable Member wishes to make any observations. I shall now take up the amendments of which notice has been given.

RULES 1 TO 5

***Mr. Dharendra Nath Datta** (East Bengal : General) : Mr. President, Sir, I beg to move :

“ That in sub-rule (2) of rule 5, for the word ‘ weeks ’ the word ‘ months ’ be substituted.”

May I move the other amendment also because that amendment also relates to rule 5 ? If you please to allow me to move my both amendments to rule 5 together, that will be better.

Mr. President : You had better move them separately and say what you have to say.

Mr. Dharendra Nath Datta : Very well, Sir. I have already moved my first amendment. In sub-rule (2) of rule 5 it has been stated that if a Member is called upon by the President to take the oath of allegiance and he refuses, or fails to take the oath of allegiance—it is not a question of refusal—but if he fails to take the oath within two weeks, he shall cease to be a Member of the Assembly. I feel that two weeks is too short a period. Of course, if he refuses to take the oath of allegiance, he has no right to be a member of this House. But he may, due to unavoidable circumstances, fail to take the oath of allegiance within two weeks. You know, Sir, that in Eastern Bengal letters do not reach in time. I do not know what the procedure shall be to call upon a member to take the oath of allegiance if the letter sent to him does not reach him within two weeks. In that case, he may not be in a position to come to Karachi to take the oath of allegiance. So, it is necessary that the period should be extended and instead of two weeks, I have suggested that two months should be the period within which, if he fails to take the oath of allegiance, he shall cease to be a member of this House. With these few words I move my first amendment.

Mr. President : Amendment moved :

“ That in sub-rule (2) of rule 5, for the word ‘ weeks ’ the word ‘ months ’ be substituted.”

***Mr. Tamizuddin Khan :** Sir, if I may be allowed to refer to the second amendment of Mr. Datta, it will be seen that if that amendment with slight alterations could be accepted, then the purpose which he has in view would be served. So far as amendment No. 1 is concerned, I do not see any necessity to extend the time. If the President has the power to consider cases of real hardship, then this amendment will be altogether unnecessary. A member of the Constituent Assembly has certain privileges which he can enjoy. If he fails to take the oath of allegiance, there is no reason why he should continue to enjoy those privileges for two long months. I am not, therefore, disposed to accept this amendment. I oppose it.

Mr. President : The question is :

“ That in sub-rule (2) of rule 5, for the word ‘ weeks ’ the word ‘ months ’ be substituted.”

The motion was negatived.

***Mr. Dharendra Nath Datta : Sir, I move :**

“ That after sub-rule (2) of rule 5 the following proviso be added :—

‘ Provided that the President has got the power to extend the period mentioned above on sufficient cause being shown by the member as to why he fails to take the oath of allegiance within the period mentioned above’.

I do not wish to say much about this amendment. What I have got to say is this, that now that the two weeks remain, in case of hardship if a member shows cause to the satisfaction of the President—that for reasons unavoidable he could not take the oath of allegiance within the period mentioned, that is, in two weeks—then the President shall have the power to extend the period.

I hope, Sir, the House will accept this amendment at least.

Mr. President : Amendment moved :

“ That after sub-rule (2) of rule 5 the following proviso be added :—

‘ Provided that the President has got the power to extend the period mentioned above on sufficient cause being shown by the member as to why he fails to take the oath of allegiance within the period mentioned above’.

***Mr. Tamizuddin Khan : Sir, I think that this is an appropriate amendment** There may be genuine cases of hardship where the President should have the power to give relief. But I see that the drafting is not quite happy. If you will kindly permit slight verbal alterations that will be all right, otherwise I will be prepared to accept the amendment as it stands. I suggest this redraft :

“ Provided that the President shall have power to extend the period mentioned above on sufficient cause being shown by the member for his failure to take the oath of allegiance within the period mentioned above.”

Mr. Dharendra Nath Datta : I do accept this.

Mr. President (to Mr. Tamizuddin Khan) : I think you had better draft it and let me have it.

Malik Mohammad Firoz Khan Noon (West Punjab : Muslim) : May I ask a question so that he may put it right too ? What I would like to know is this : when is the man to apply to the President to be excused from this rule ? Is it after the fortnight ? If so, then will the President have the power to reinstate the man who has within that period ceased to be a member for not attending for a fortnight, or must he apply within the fortnight without knowing whether he would be present ? I think we had better clear up that, otherwise there will be difficulties.

Mr. Abdulla-al Mahmood (East Bengal : Muslim) : I think it is clear that the member must apply within the time with reasons for his unavoidable absence. Therefore, he must apply within fortnight.

Malik Mohammad Firoz Khan Noon : If he does not apply he ceases to be a member and cannot be reinstated ?

Several Honourable Members : No, no.

***Mr. Dharendra Nath Datta :** Mr. President, I think in the Civil Procedure Code if the time expires then the Court has got the power to extend it on application, so that, in effect, in this case although a member may cease to be a member he shall be a member again. That is what I intended to say—the President shall have the power to extend the period even after the expiry of the period.

(At this stage some Members rose to speak.)

Mr. President : Order, order. The amendment has already been agreed upon and it is now only a question of drafting it. I think the best thing will be that you should take a little time and let me have a final draft.

(The amendment was drafted by Mr. Tamizuddin Khan and sent to the President.)

Mr. President : Now the proposed amendment reads :

“Provided that the President shall have power to extend the period mentioned above on sufficient cause being shown for his failure to take the oath of allegiance within the period mentioned above.”

You have got here “period mentioned above” twice in these six lines. Is that satisfactory to you ?

Several Honourable Members : No.

Mr. Tamizuddin Khan : “within the prescribed period” or “within the said period”.

Mr. President : Now, what is the final draft ? You better read it out.

Mr. Tamizuddin Khan :

“Provided that the President shall have the power to extend the period mentioned above on sufficient cause being shown for his failure to take the oath of allegiance within the time aforesaid.”

Mr. President : Will that do ?

Mr. Tamizuddin Khan : Yes, Sir.

Mr. President : It will read in this way :

“If a member duly elected to the Assembly refuses or fails to take the oath of allegiance to the Federation of Pakistan within two weeks of his being called upon to do so by the President he shall cease to be a member of the Assembly and his seat shall become vacant :

Provided that the President shall have the power to extend the period mentioned above on sufficient cause being shown for his failure to take the oath of allegiance within the time aforesaid.”

That means that, as I understand it of course, if he within two weeks applies that he cannot do it—not after two weeks, that is how I understand.

That is the intention, Mr. Tamizuddin. What is the intention ?

Mr. Tamizuddin Khan : It will mean that. As the rule stands it will mean what you are saying.

Mr. President : As the amendment stands now it means that the member when he is called upon to take the oath must do so within two weeks. If he fails to do so the seat becomes vacant but if he within two weeks informs the President why he cannot do it the President may extend the time. In other words the time is two weeks with powers of the President to extend that time provided he does inform the President within two weeks or before two weeks expire. Is that the intention ?

Khan Sardar Bahadur Khan (N.-W. F. P. : Muslim) : May I make an observation, Sir ?

Mr. President : I want to know from Mr. Tamizuddin first.

Mr. Tamizuddin Khan : That is the natural interpretation of the wording of the amendment.

Mr. President : I am only taking the words.

Mr. Tamizuddin Khan : All these things are being done in a hurry. It is unfortunate.

Mr. President : All I can do is to hold the amendment and take it later on if that could be possible. You can prepare a proper draft.

All right this amendment No. 2 moved by Mr. Datta will stand over.

Now, there is an amendment on rule 14. Therefore, I think I may go on putting the rules to vote.

On rules 1, 2, 3 and 4 there is no amendment.

Rules 1 to 4 were added to the Rules of Procedure.

RULES 6 TO 13

Mr. President : Then amendment No. 2 to rule 5 stands over. There is no amendment from rules 6 to 13.

Rules 6 to 13 were added to the Rules of Procedure.

RULE 14

Mr. President : Now rule 14. The question is :

“ That rule 14 stand part of the Rules.”

Prof. Raj Kumar Chakraverty (East Bengal : General) : Sir, I beg to move the following amendment :

“ That in sub-rule (2) of rule 14 after the words ‘ conducted at Karachi ’, the words ‘ and at least once a year in Dacca ’ be inserted.”

Sir, in moving this amendment I do so not from any sense of narrow provincialism but from a high sense of duty to the people of Eastern Pakistan, whom I have the honour to represent in this Assembly. It is the desire of many people of Eastern Pakistan to have some of the sittings of this Assembly and the committees in their capital. I go further and say, Sir, that it is their right to claim to have some of the sittings of the Assembly and of the committees in their capital. I make one point clear at the very outset that in these Rules the “ business ” means the business in the Assembly and in its committees : so that when I move this amendment I mean that at least once a year the sitting of the Assembly or the sitting of some of its committees should be held in Dacca. Sir, ours is a democratic state and it is our duty to respect the feelings and wishes of the majority of the people or a good number of the people of the State. You know, Sir, Eastern Pakistan consists of the two-thirds of the people of this vast Pakistan State. It is natural on the part of the people of Eastern Pakistan to have some of the sittings of the committees of this

[Prof. Raj Kumar Chakraverty.]

Assembly and the sessions of this Assembly in their own capital. This amendment has two points in its favour along with other points. It has got its psychological effect. There is a feeling that in this set-up—new set-up of the Pakistan State—Eastern Pakistan is being neglected. If we have some of the meetings of the Assembly and the committees in its capital, well, that feeling will be removed and that misconception also will have no place. Then secondly, Sir, my amendment, if it is accepted, will have its educative value. The sessions of the Assembly or the meetings of the committees, if they are held in the capital of Eastern Pakistan, will be conducive to the best interests of the people. It will educate them in the matter of parliamentary procedure and will give them some idea as to the way how the Government of the country is carried on and how they feel about it.

If the leaders of the Pakistan State visit the capital of Eastern Pakistan on such occasions, the people there will have opportunities to come in contact with them and will be inspired by their presence and the people will feel all the better. I, therefore, say, Sir, that the educative value of my amendment should not be minimised. I anticipate there may be objections to my proposal on the ground of practical difficulties; but if there is a will, there is a way. Before the partition of India, the sittings of the Central Assembly were held in Delhi and Simla, and the sessions of some of the Provincial Assemblies were held at different places. There are, undoubtedly, some difficulties—I have to confess them; but they should not stand in our way if we want to give effect to the proposal for reasons that I have stated just now. Sir, my amendment is a very modest one. The rule as adopted and placed before the House is that “the business of the Assembly shall be conducted at Karachi, unless the President otherwise directs”. So there is the right of the President to direct otherwise. If the House accepts my amendment the right of the President remains unimpaired, but the very acceptance of this amendment will have a great effect upon the psychology and otherwise as regards the people of Eastern Pakistan. It is a very modest amendment and I hope fervently that the feelings and wishes of the people of Eastern Pakistan will be considered and the House will kindly accede to my modest proposal.

Mr. President : Amendment moved :

“That in sub-rule (2) of rule 14 after the words ‘conducted at Karachi’ the words ‘and at least once a year in Dacca’ be inserted.”

Mr. Tamizuddin Khan : Sir, may I suggest that the Honourable the Leader of the House may be requested to present the Government's point of view on this point?

The Honourable Mr. Ghazanfar Ali Khan (Minister for Refugees, Relief and Rehabilitation): Sir, may I know if Members are allowed to speak at this stage?

Mr. President : Yes, naturally. I call upon you, and if there is any other Member who wants to speak, he may kindly do so.

***Mr. Tamizuddin Khan :** Sir, I have a good deal of sympathy with many of the observations made by the Honourable the Mover of this amendment, but I think there will be obvious, practical difficulties. The question of finance is an all-important question. How difficult it will be for the Government to transfer all the paraphernalia necessary for holding a session there, I do not know.

* Speech not corrected by the Honourable Member.

There may be a good deal of difficulty so far as that is concerned. On the other hand, I see that if a session is desirable to be held at Dacca, the President has always got the authority under this rule to give direction to that effect. I would, therefore, think that even without this amendment the purpose that the Honourable the Mover has in view can be very well served, if the President is convinced about the practicability and feasibility of holding a session there. I, therefore, think that this amendment is not very necessary.

Begum Shaista Suhrawardy Ikramullah (East Bengal : Muslim) : Sir, I do not think that the practical difficulties of members travelling from Western Pakistan to Eastern Pakistan could be greater than that of the Eastern Pakistanis coming to the West, for their number is greater.

As regards administration and accommodation, I am not suggesting any remote village in Eastern Pakistan, but Dacca which, I presume, has got sufficient arrangements to accommodate the House. Anyway, I think the psychological benefit far outweighs the practical difficulties. A feeling is growing among the Eastern Pakistanis that Eastern Pakistan is being neglected and treated merely as a "colony" of Western Pakistan. We must do everything possible to eradicate this feeling. This narrow provincialism must be stopped. Justified or unjustified, we must not give any province a chance of feeling that it is neglected. I have lived many years with the Western Pakistanis and I feel that they are grossly ignorant of the people of Eastern Pakistan. I, therefore, think that at least once a year a meeting should be held in Eastern Pakistan. At the moment, we are faced with far too many difficulties. So let there be a meeting of this House only in Western Pakistan now; later on when it becomes the Legislature only then let it meet at least once a year in Dacca.

The Honourable Mr. Liaquat Ali Khan (Prime Minister and Minister for Defence) : I do not think there is any Honourable Member of this House who does not desire closer ties between the West and the East parts of Pakistan, but I am afraid this amendment, which has been moved, will not create those ties. As has been pointed out by Mr. Tamizuddin Khan, there are, in fact, great practical difficulties. Begum Ikramullah has stated that it is easy to get over difficulties, I know that women never realise the difficulties, but I think those of my friends who have come from Eastern Bengal know fully well that the conditions in Dacca at present are such that even the Eastern Bengal Government finds it difficult to function properly on account of the difficulties of accommodation and other problems of that kind. Apart from that, I think if my Honourable friends had read the rule carefully, those who had supported this amendment would have found that all that the rule says is that the business of the Assembly shall be conducted at Karachi, unless the President otherwise directs. So, therefore, it does not lay down that all the meetings of the Constituent Assembly and its Committees shall be held in Karachi and nowhere else. If it is considered necessary by the President, he can direct that such and such meeting will be held not in Karachi, but somewhere else; it may be Dacca; it may be Peshawar; it may be Lahore; it may be any place. So, therefore, I would submit that we should not lay it down definitely that one meeting at least every year must necessarily be held in Dacca.

Begum Ikramullah has stated that it is quite easy to move Government from one place to another. Sir, those who know what difficulties we had to experience in moving from Delhi to Karachi cannot support this contention of Begum Ikramullah that it is quite easy to move the Government from one centre to another. At least two months will be spent in this movement. The

[The Hon'ble Mr. Liaquat Ali Khan.]

only safe and sure means of transport would be by sea. So, therefore, all your staff, all your files will be enjoying the sea air for two months—one month in going and one month in coming back—and during this period of two months the whole business of the Government will have to be suspended. It would not be expected that the business of Government would be carried on while on the high seas moving from one place to another. As I have stated, it is a wrong idea to have that because the meetings are held in a particular place, therefore the people of the State living in other parts of the State are neglected. If the meetings of the parliament are held in one particular place, it does not mean that that particular place is given importance over other places in that State. It is only a matter of convenience. I submit, Sir, that it would be wrong to embody a rule to that effect that at least once a year a meeting of the Constituent Assembly must be held in Dacca.

Mr. President : I may draw the attention of the Honourable Members that the House is meeting today not as a Legislature but as a Constituent Assembly invested with powers to frame the future and final constitution of Pakistan. Therefore sitting here as such we are concerned with the framing of the constitution and not a Legislative Body. We are sitting here today and tomorrow as a Constituent Assembly. As Legislative Body we met here yesterday. Therefore, Honourable Members should bear that fact in mind when dealing with these amendments. These are the rules which apply to us as a Constitution making body. I thought I had better draw the attention of Honourable Members to this fact in order to make the distinction clear to them.

Now, with regard to the amendment, the question is :

“That in sub-rule (2) of rule 14 after the words ‘conducted at Karachi’, the words ‘and at least once a year in Dacca’ be inserted.”

The motion was negatived.

Rule 14 was added to the Rules.

RULES 15 TO 17

Rules 15 to 17 were added to the Rules of Procedure.

RULE 18

Mr. President : Now Rule 18. The question is :

“That rule 18 stand part of the Rules of Procedure”.

Mr. Dharendra Nath Datta : Sir, I move :

“That in rule 18, for the figure ‘10’ the figure ‘11’ be substituted.”

May I speak, Sir ?

Mr. President : Yes, please.

Mr. Dharendra Nath Datta : Mr. President, it is a very short amendment. Here, at Karachi, the sun rises at about 8 in the morning. Therefore, it is desired that we should meet here at 11 in the morning instead of at 10. That is all what I have to say.

Mr. President : Amendment moved :

“ That in rule 18, for the figure ‘ 10 ’ the figure ‘ 11 ’ be substituted. ”

Mr. Tamizuddin Khan : I accept this amendment.

Mr. President : The question is :

“ That in rule 18, for the figure ‘ 10 ’ the figure ‘ 11 ’ be substituted. ”

The motion was adopted.

Mr. President : Now I put rule 18 as amended. The question is :

“ That rule 18, as amended, stand part of the Rules of Procedure. ”

The motion was adopted.

Rule 18, as amended, was added to the Rules of Procedure.

RULES 19 TO 28

Mr. President : Now, there is an amendment to rule 29, we take up rule 29.

The Honourable Mr. Liaquat Ali Khan : May I make a request to you ? I propose that the consideration of this amendment to rule 29 be postponed till tomorrow.

Mr. President : Has the House any objection to its standing over ?

(No objection was forthcoming.)

Mr. President : But before I deal with this, may I just go back. The amendment to rule 18 was accepted. There is no amendment to any of the rules 19 to 28. I now put rules 19 to 28 to the House.

Rules 19 to 28 were adopted and added to the Rules of Procedure.

RULE 29

Mr. President : Now I come to rule 29.

I allow the consideration of the amendment to rule 29 to stand over till tomorrow.

RULE 30

Mr. President : Now rule 30. The question is :

“ That Rule 30 stand part of the Rules ”

Khawaja Shahabuddin (East Bengal : Muslim) : I beg to move :

“ That for sub-clause (2) of rule 30 the following be substituted :—

‘ (2) All questions for the determination of the Assembly shall be decided by a majority of votes of the members present other than the person presiding, who, however, has and shall exercise a casting vote in the case of an equality of votes ’.”

It is an explanatory amendment. It is only an over-sight on the part of the Committee. I hope it will be accepted.

Mr. Tamizuddin Khan : I accept the amendment.

Mr. President : The question is :

“ That for sub-clause (2) of rule 30 the following be substituted :—

‘ (2) All questions for the determination of the Assembly shall be decided by a majority of votes of the members present other than the person presiding, who, however, has and shall exercise a casting vote in the case of an equality of votes ’.”

The motion was adopted.

Mr. President : Now rule 30 as amended. The question is :

“ That rule 30, as amended, stand part of the Rules.”

The motion was adopted.

Rule 30, as amended, was added to the Rules.

RULES 31 TO 70

Mr. President : There is no amendment from rule 31 to 70.

Rules 31 to 70 were added to the Rules of Procedure.

SCHEDULES A AND B

Schedule A was added to the Rules.

Schedule B was added to the Rules.

Mr. President : That finishes the Rules with the exception of sub-rule (2) of rule 5 and rule 20.

RESOLUTION *RE* APPOINTMENT OF A COMMITTEE TO REPORT ON THE ADDITION AND/OR RE-DISTRIBUTION OF SEATS IN THE CONSTITUENT ASSEMBLY

The Honourable Mr. Liaquat Ali Khan (Prime Minister and Minister for Defence) : Sir, I beg to move :

“That this Assembly do resolve that a Committee consisting of four members and a Chairman be nominated by the President to report to the Assembly by the 1st of April, 1948, on the following matters :—

- (i) addition and/or re-distribution of seats in the Constituent Assembly in view of the recent changes in the population of various provinces of Pakistan ; and
- (ii) procedure for giving effect to the Committee's recommendations.

The quorum of the Committee will be three including the Chairman.”

Sir, as the Honourable Members are aware there has been vast change in numbers and complexion of the population in certain of the Provinces of Pakistan and it is, but proper, that this Assembly should re-examine the question of allotment of seats to various provinces, as the Assembly was constituted on the basis of population. Each province was allotted one member for every million of population and naturally, if there has been a change and not a change of a few thousands, but a change in some cases, of some millions of people, then I think it is not only desirable, but necessary that these million of people should have a say, and should have an opportunity of taking part in the framing of the future constitution of Pakistan. Therefore, Sir, I submit that the best way of doing this would be to appoint a Committee to go into this matter and find out what is the number of people that have come in, belonging to what communities and what further representation, if at all, should be given to any particular province. Therefore, Sir, I am taking this early opportunity of moving this resolution in this Honourable House.

Mr. President : Motion moved :

“That this Assembly do resolve that a Committee consisting of four members and a Chairman be nominated by the President to report to the Assembly by the 1st of April, 1948, on the following matters :—

- (i) addition and/or re-distribution of seats in the Constituent Assembly in view of the recent changes in the population of various provinces of Pakistan ; and
- (ii) procedure for giving effect to the Committee's recommendations.

The quorum of the Committee will be three including the Chairman.”

Mr. Abdulla-al Mahmood (East Bengal : Muslim) : Sir, I am not moving the two amendments standing in my name.

Mr. President : Then in that case I put the motion before the House.

***Mr. Dharendra Nath Datta** (East Bengal : General) : Mr. President, Sir, I rise to suggest to the Honourable the Leader of the House, the Mover of this resolution, the practical difficulties with regard to the report to be submitted by the 1st of April, 1948. I know, Sir, and we all know that there have been changes in population in respect to the provinces constituting our State of Pakistan ; but, Sir, it is also very well known to us that it is moving population. This is a mobile population and it is not as yet fixed. People even now are moving from one place to another. So it is impossible to determine the number of the fixed population within such a short period, i. e., by the 1st of April, 1948. Today, Sir, we are in the end of February, 1948 and the report is to be submitted within a month from today. It is impossible to have a census of the population especially of the population who may be called mobile population. So, Sir, through you, may I suggest to the Mover of this resolution to postpone moving of this resolution immediately ? Let us wait and see how the population fixes itself

*Speech not corrected by the Honourable Member.

[Mr. Dharendra Nath Datta.]

and then we shall have to take census of the population of the different provinces. After having taken the census of the population of the different provinces, if we find that there is inequitable distribution in the sense that the population of one province has increased enormously and the population of another province has decreased enormously, then and then only is the time for a resolution like this to be moved.

At this stage, I submit that the resolution is rather premature and it may not be moved. (Interruption.) I do not know what India does ; let us concentrate on what we do here.

Mr. President : Is it your point that this resolution is out of order ?

Mr. Dharendra Nath Datta : No, Sir. My point is that this resolution should not be moved now. My only suggestion is that I want to postpone the consideration of the Resolution at this stage. I am opposing the resolution in the sense that I want its consideration to be postponed.

Mr. President : So, you are advising the Mover of the resolution not to press it now but that it should stand over.

Mr. Dharendra Nath Datta : Yes, Sir, that is what I mean. I have said what I had to say and I hope the Mover of the resolution will accept my view in the sense that this resolution should not be moved at this stage and at this time.

The Honourable Mr. Ghazanfar Ali Khan (Minister for Refugees, Relief and Rehabilitation) : Sir, I have very carefully listened to the speech of the Honourable Member from East Bengal and I find that he has not objected to the principle underlying this resolution. His objection seems to be that at present there is no clear idea as to how many people have come to Western Pakistan and Eastern Pakistan. Therefore, while the population is floating, it is not possible for the Committee to fix figures. Let me assure him that although we have not counted the heads and we do not know to the last man, we have got a very clear idea of the number of people who have migrated from India to Pakistan. Besides, the arrangements for having a regular census are already in hand. As a matter of fact, we are making arrangements that a complete census of all the people who have come to Pakistan should be taken immediately and the figures should be ready by the 15th of March. That has already been done. In view of the fact that the objection of the Honourable Member is being met inasmuch as the census is being taken, I hope he will not oppose the resolution.

As regards the principle, there will be no disagreement. Those people who have now come to Western Pakistan must be represented in the Constituent Assembly at a very early date. It will be unfair to the millions of people who have come to the Western Pakistan to go unrepresented. I hope the House will accept the resolution. We hope that the Committee will submit its report before the 1st of April because before this Constituent Assembly meets again as a Legislative body, every section of the population of Western Pakistan should be represented and the distribution should be proportionate.

Mr. President : The question is :

“ That this Assembly do resolve that a Committee consisting of four members and a Chairman be nominated by the President to report to the Assembly by the 1st of April, 1948, on the following matters :—

- (i) addition and/or re-distribution of seats in the Constituent Assembly in view of the recent changes in the population of various provinces of Pakistan ; and
- (ii) procedure for giving effect to the Committee's recommendations.

The quorum of the Committee will be three including the Chairman.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock, on Wednesday, the 25th February, 1948.

